

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY Cf D.C.
05 OCT 11 AM 8:49
J. MICHAEL GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

RHODNEY ROBERSON,

Petitioner,

VS.

DAVID MILLS,

Respondent.

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No. 05-2434-T/P

ORDER FOR RESPONDENT TO FILE RECORD AND TO RESPOND


Petitioner Rhodney Roberson, Tennessee Department of Correction prisoner number 210863, an inmate at the West Tennessee State Penitentiary in Henning, Tennessee, filed a *pro se* petition pursuant to 28 U.S.C. § 2254 in the Western Division of the Western District of Tennessee on June 15, 2005, along with an application seeking leave to proceed *in forma pauperis*. District Judge Samuel H. Mays, Jr. issued an order on June 24, 2005 transferring the petition to the Eastern Division of the Western District, where the convicting court is located. This Court issued an order on August 17, 2005 denying leave to proceed *in forma pauperis* and directing the petitioner to remit the habeas filing fee within thirty days. Petitioner paid the habeas filing fee on September 12, 2005.

It is ORDERED, pursuant to Rule 4 of the Rules Governing § 2254 Cases, that respondent David Mills file a response to the petition within twenty-three (23) days. The

response shall include the complete trial and appellate record of both of Roberson's trials and his subsequent state petition for collateral relief.

It is further ORDERED, pursuant to Rule 4, that the Clerk shall send a copy of the petition and this order to David Mills and the Tennessee Attorney General and Reporter by certified mail.

IT IS SO ORDERED this 7th day of October, 2005.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02434 was distributed by fax, mail, or direct printing on October 12, 2005 to the parties listed.

Rhodney Roberson
WEST TENNESSEE STATE PENITENTIARY
00210863
480 Green Chapel Road
P.O. Box 1150
Henning, TN 38041--115

Honorable James Todd
US DISTRICT COURT